



EVO 58761076

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.10/087,027
Filing DateFeb 28, 2002
Inventorship..... Smith et al.
Applicant Microsoft Corporation
Attorney's Docket No.MSI-861USC1
Title: Application Program Interface for Network Software Platform

PETITION UNDER 37 CFR 1.47(A)

To: Box Missing Parts
Commissioner of Patents and Trademarks
Washington, D.C. 20231

RECEIVED

From: Lewis C. Lee (Tel. 509-324-9256; Fax 509-323-8979)
Customer No. 22801

JUN 19 2002
OFFICE OF PETITIONS

Let it be known that:

1. Several attempts to contact joint inventor David Bau at his last known address and also via his last known email address have failed to elicit any response.

2. His last known address is: David Bau, 415 Howard Road, Gladwyne, PA 19034.

3. His last known email address is: david@bau.to

4. On February 20, 2002, an email was sent by the Legal Department at Microsoft Corporation, to David Bau at his last known email address; the email was an attempt to locate Mr. Bau and to verify his address. A copy of the email is attached hereto.

5. On February 25, 2002, an additional email was sent by Microsoft Corporation, to David Bau at his last known email address; the email was a follow-up to the first email and requested that Mr. Bau contact Microsoft Corporation. A copy of the email is attached hereto.

6. On February 25, 2002, a voice mail message was left at Mr. Bau's last known telephone number (610) 642-8783 requesting that he contact Microsoft Corporation.

06/19/2002 3LJAN31 00000011 120769 10087027

01 PG:122 130.00 CH

LEE & HAYES, PLLC

1 7. On February 26, 2002, a package including a Declaration and
2 Assignment (formal papers) was sent by Lee & Hayes, PLLC to David Bau at his
3 last known address through Federal Express (tracking number 790323624798).
4 According to Federal Express, the package was delivered as addressed on February
5 28, 2002 at 9:49 AM. Copies of the FedEx Shipping History, as well as the Detailed
6 Tracking Results are attached hereto.


7 8. To date, Mr. David Bau has not contacted Lee & Hayes, PLLC,
8 Microsoft Corporation or returned any of the formal papers.

9 9. As such, the Honorable Commissioner is hereby petitioned to allow
10 the filing of the above-identified patent application under 37 CFR 1.47(a), in light of
11 the nonsigning joint inventor, David Bau.

12 The Commissioner is hereby authorized to charge payment of fees or credit
13 overpayments to Deposit Account No. 12-0769 in connection with any fees under
14 37 CFR 1.17(i).

15 Respectfully submitted,

16 Dated: June 11, 2002

17 By: 
18 Lewis C. Lee
19 Reg. No. 34,656

20 RECEIVED

21 JUN 19 2002

22 OFFICE OF PETITIONS
23
24
25

Dana Calhoun

From: Cristina Dodson (LCA) [cdod@microsoft.com]
Sent: Monday, February 25, 2002 12:27 PM
To: david@bau.to
Cc: Dana Calhoun
Subject: FW: INVENTORSHIP .NET Framework Namespace Contribution - Attorney/Client

David,
 Still hoping to hear from you, we have an urgent need for you to respond by end of business today, Monday, February 25, 2002.
 Thank you,
 Cristina



-----Original Message-----

From: Cristina Dodson (LCA)
Sent: Wednesday, February 20, 2002 3:51 PM
To: 'david@bau.to'
Cc: Cristina Dodson (LCA)
Subject: INVENTORSHIP .NET Framework Namespace Contribution - Attorney/Client Privileged
Importance: High

David,
 We are currently in the process of identifying all of the inventors on the .Net namespace applications, you have been identified as making a substantial contribution to the following namespace(s)

system.regular expressions

Please reply to me by Friday, February 22, 2002 to confirm. If this information is correct you will be listed as an inventor on patents covering this/these namespace(s) and we will send you formal papers to sign to attest to your contribution to this technology. You should expect to see this paperwork within the next 2 weeks. When you receive them, please sign and return them by the deadline in the instructions that will accompany them.

The last known contact information we have for you is:

David Bau
 415 Howard Road
 Gladwyne, PA 19034
 (610) 642-8783

Please let me know if this is still your current home address, if not I will need your new home address along with your Country of Citizenship as this info is required on the forms.

We appreciate your contribution and timely response. If you have questions you can contact me.

Cristina Dodson
 Patent Paralegal
 Microsoft Corporation
 One Microsoft Way
 Redmond, WA 98052
 cdod@microsoft.com
 (425) 707-8127

RECEIVED
 JUN 19 2002
 OFFICE OF PETITIONS

3/15/2002

Dana Calhoun

From: Cristina Dodson (LCA)
Sent: Tuesday, February 26, 2002 2:46 PM
T : Dana Calhoun
Subject: David Bau

Dana,

I have been attempting to make contact with David Bau, an inventor on at least one .Net Namespace patent application. My attempts to contact him have included leaving a voice message 02/25/02 at the last known home phone number that we have on file; sending 2 separate email inquiries on 2/20/02 and 02/25/02 to the email address of david@bau.to asking for a reply confirming his inventorship; and attempting to ring his pager per instructions given on the Bau family website of <http://bau.to/> despite my repeated attempts I have not received a response from Mr. Bau.

Cristina Dodson
Patent Paralegal
Microsoft Corporation
One Microsoft Way
Redmond, WA 98052
cdod@microsoft.com
(425) 707-8127

3/15/2002



February 26, 2002



Mr. David Bau
415 Howard Road
Gladwyne, PA 19034

Re: "Application Program Interface for Network Software Platform"

File No(s) MS# 180590.1 / MS1-861US
 MS#180591.1 / MS1-862US
 MS#180596.1 / MS1-867US

Dear Mr. Bau:

As outside counsel to Microsoft Corporation, last July we filed several .Net Namespace applications on which you have been identified as making a substantial contribution to. In order to complete the applications, the United States Patent Office requires that we file documents (Assignment and Declaration) signed by each inventor. To that end, I am enclosing these documents for each of the applications listed above.

Also included is a copy of the application as it was filed for MS1-861US in it's entirety. Both MS1-862US and MS1-867US are voluminous and impossible to send to you by mail. However, as the basic applications for all of these applications are quite similar, with the only difference being specific software programming details, I am sending the Claims portions for both MS1-862US and MS1-867US.

Please sign the Assignments and Declarations where I have indicated and fax them to my attention at (509) 323-8979. Originals should then be sent to Christina Dodson, Microsoft Legal Department, One Microsoft Way, Redmond, WA 98052. It is imperative that I receive the signed papers via fax no later than Thursday, February 28, 2002.

Should you have questions or concerns, please contact me via email at Dana@Leehayes.com or by telephone at (509) 324-9256, extension 214.

Sincerely,


Dana Calhoun
Legal Assistant

RECEIVED

JUN 19 2002

OFFICE OF PETITIONS



Ship Manager

- ▶ [Ship Inside U.S.](#)
- ▶ [Ship Outside U.S.](#)
- ▶ [Ship Inside U.S.-Freight](#)
- ▶ [Track Shipment](#)
- ▶ [Cancel Shipment](#)
- ▶ [Schedule Courier](#)
- ▶ [Address Book](#)
- ▶ [Fast Ship Profiles](#)
- ▶ [Shipping History](#)

- ▶ [Update Shipping Profile](#)
- ▶ [Help/FAQs](#)
- ▶ [Tutorial](#)
- ▶ [Contact Information](#)

- ▶ [My Profile](#)
- ▶ [Go to fedex.com](#)
- ▶ [Go to My FedEx](#)
- ▶ [Go to Ship Manager Login](#)

- ▶ [Order Supplies](#)

- ▶ [Logout](#)

Your Shipment Details

Tracking Number: 790323624798 Date: Feb 26 2002

From:
Dana Calhoun
LEE & HAYES, PLLC421 W. Riverside
Ave., Ste. 500
Spokane WA 99201
US
509-324-9256**To:**
David Bau
415 Howard
Road
Gladwyne PA
19034
US
(509) 324-9256**Service:** Priority Overnight
Packaging: FedEx Envelope
Handling: Drop Off**Weight:** 1LBS
Shipper Account Number:
182558311
Bill Shipment To: 182558311**Bill Duty/Tax/Fees:**
Express Reference: MS1-861,
862 & 867US
Declared Value: USD0
Status: N/A**Courtesy Rate Quote*:** 17.25
COD Amount: N/A

*The courtesy rate shown here may be different than the actual charges for your shipment. Differences may occur based on actual weight, dimensions, and other factors. Consult the applicable FedEx Service Guide or the FedEx Rate Sheets for details on how shipping charges are calculated.

[Return to Shipping History](#)[Return to Shipping](#)

Terms and Conditions Use of this system constitutes your agreement to the service conditions in the current FedEx service Guide, available upon request. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

United States


[Ship](#) | [Track](#) | [Rates](#) | [Signature Proof](#) | [Locations](#) | [Pickup](#) | [International Tools](#)
[Home](#) | [About FedEx](#) | [Service Info](#) | [Careers](#) | [eBusiness Tools](#) | [Manage My Account](#) | [Customer Service](#) | [Site Index](#)
[Select More Online Services](#)

- ▶ [Track Shipments](#)
- ▶ [Alternate Reference Track](#)
- ▶ [Email Track](#)
- ▶ [Custom Critical](#)
- ▶ [Cargo Track](#)
- ▶ [FedEx Freight](#)

Related Links

- ▶ [Signature Proof](#)
- ▶ [My FedEx](#)
- ▶ [FedEx Wireless Solutions](#)
- ▶ [Handheld Track](#)
- ▶ [FedEx Sidebar](#)
- ▶ [Print, Bind & Ship](#)
- ▶ [FedEx Address Checker](#)

Track Shipments

Detailed Results

Tracking Number 790323624798
Reference Number MS1-861, 862 & 867US
Ship Date 02/26/2002
Delivered To Recipient
Delivery Location FORT WASHINGTON PA
Delivery Date/Time 02/28/2002 09:49
Signed For By 5204227
Service Type Priority Letter

Tracking Options

- Obtain a [Signature Proof of Delivery](#)
- [Email these tracking results](#) to one or more recipients
- [Track More Shipments](#)

Scan Activity	Date/Time	Comments
Delivered KING OF PRUSSIA PA	02/28/2002 09:49	No signature required - release waiver on file
Delivered KING OF PRUSSIA PA	02/28/2002 09:49	No signature required - release waiver on file
On FedEx vehicle for delivery KING OF PRUSSIA PA	02/28/2002 08:34	
Package status KING OF PRUSSIA PA	02/27/2002 21:12	Package in FedEx location
Package status KING OF PRUSSIA PA	02/27/2002 12:17	Package at station - awaiting courier
Arrived at FedEx Destination Location KING OF PRUSSIA PA	02/27/2002 12:09	
Arrived at FedEx Destination Location FORT WASHINGTON PA	02/27/2002 08:09	
Left FedEx Ramp PHILADELPHIA PA	02/27/2002 07:06	
Left FedEx Sort Facility MEMPHIS TN	02/27/2002 02:25	
Arrived at Sort Facility MEMPHIS TN	02/27/2002 00:45	
Left FedEx Ramp SPOKANE WA	02/26/2002 19:13	
Arrived at FedEx Ramp SPOKANE WA	02/26/2002 18:23	

Email Your Detailed Tracking Results

Enter your email (optional), up to three email addresses as recipients, add your message, and click on **Send Email**.

From

T

T

To

Add a message to this email.

RECEIVED

JUN 19 2002

OFFICE OF PETITIONS